

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE

RUSSELL CRANKSHAW,

Plaintiff,

CSX TRANSPORTATION, INC.,

Defendant.

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No.: 1:11-CV-377

***Jury Trial Demanded***

**DEFENDANT CSX TRANSPORTATION, INC.'S**  
**MOTION FOR SUMMARY JUDGMENT**

COMES NOW Defendant, CSX Transportation, Inc. ("CSXT"), and hereby moves for summary judgment on the bases that Plaintiff's claims are barred as a matter of law pursuant to the doctrine of judicial estoppel and that no genuine issue of disputed fact exists as to Plaintiff's claims. In support of its motion, CSXT relies on the record before the Court, documents of public record filed in the course of Plaintiff's 2008 bankruptcy, and the supporting memorandum filed herewith.

BAKER, O'KANE, ATKINS & THOMPSON

S/ John W. Baker, Jr., Esq., BPR #001261  
Emily L. Herman-Thompson, Esq., BPR #021518  
Attorneys for Defendant

2607 Kingston Pike, Suite 200  
P.O. Box 1708  
Knoxville, Tennessee 37901-1708  
(865) 637-5600

FULCHER HAGLER LLP

James W. Purcell  
Mark C. Wilby  
Post Office Box 1477  
Augusta, GA 30903-1477  
(706) 724-0171  
Attorneys for Defendant (*Pro Hac Vice*)

**CERTIFICATE OF SERVICE**

I hereby certify that on *January 24, 2013*, a copy of the foregoing ***Defendant CSX Transportation, Inc. 's Motion for Summary Judgment***, was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

S/ John W. Baker, Jr., Esq.